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CJB
MIED (Rev. 03/11) Prisoner Civil Rights Complaint**Official Use Only**

Case Number

Judge

Case: 2:15-cv-13009

Judge: Steeh, George Caram

MJ: Whalen, R. Steven

Filed: 08-19-2015 At 09:24 AM

PRIS DIANE LEWIS V ST. JOHN'S
HOSPITAL, ET AL (LG)**PRISONER CIVIL RIGHTS COMPLAINT**

This form is for use by state prisoners filing under 42 U.S.C. § 1983 and federal prisoners filing pursuant to *Blivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971).

Plaintiff's InformationName ^D Diana L. Lewis

Prisoner No. 390410

Place of Confinement Women's Huron Valley Correctional Facility

Street 3201 Bemis Road

City Ypsilanti

State Mi

Zip Code 48197

Are there additional plaintiffs?

☐ Yes☒ No

If yes, any additional plaintiffs to this action should be listed on a separate 8½" x 11" sheet of paper and securely attached to the back of this complaint. You must provide names, prisoner numbers and addresses for all plaintiffs.

Defendant's Information

Name St. John's Hospital

Position

Street/P.O. Box 22101 Moross

City Detroit

State Mi

Zip Code 48236

Are you suing this defendant in his/her:

☐ Personal Capacity☒ Official Capacity☐ Both CapacitiesAre you suing more than one defendant? ☒ Yes☐ No

If yes, any additional defendants to this action should be listed on a separate 8½" x 11" sheet of paper and securely attached to the back of this complaint. You must provide their names, positions, current addresses and the capacity (personal, official or both) in which you are suing them.

ADDITIONAL DEFENDANTS

Name
Marisa A Soave PA

Position
Resident

Street
22101 Moross

City
Detroit

State
Mi

Zip
48236

I am suing [REDACTED] in professional capacity

Name
Jan L Mourelatos MD

Position
Doctor

Street
22101 Moross

City
Detroit

State
Mi

Zip
48236

I am suing in professional capacity

Both are-were employed at St. John's Hospital when I went there seeking medical treatment for my injured finger.

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I. PREVIOUS LAWSUITS

Have you filed any other lawsuits in state or federal court relating to your imprisonment?

☐ Yes ☒ No

If "Yes," complete the following section. If "No," proceed to Part II.

Please list all prior civil actions or appeals that you have filed in federal court while you have been incarcerated.

Docket or Case Number:
Name of Court:
Parties (Caption or Name of Case):
Disposition:

Docket or Case Number:
Name of Court:
Parties (Caption or Name of Case):
Disposition:

Docket or Case Number:
Name of Court:
Parties (Caption or Name of Case):
Disposition:

Any additional civil actions should be listed on a separate sheet of 8½" x11" paper and securely attached to the back of this complaint.

II. STATEMENT OF FACTS

On 9-24-13 I went to the emergency room at St. John's Hospital 22101 Moross Detroit, Mi 48236 (313) 343-3733, I was triaged because I had cut my right index finger on the middle knuckle pretty deep, my finger was bent down and I was unable to move it, this was on my writing hand and I was seeking medical treatment.

I was evaluated by a Dr. Soave who agreed my finger was cut but sent me down to xray for further evaluation as to why I couldn't use my finger. The x-ray was evaluated and dictated by Dr. Mourelatos who didn't find any abnormalities and didn't send me or request further testing. Dr. Soave came back and simply wrapped my finger with guaze, gave me something for the pain and a prescription for an antibiotic and my discharge instructions.

I was led to believe if I followed their instructions that my finger would heal back to normal as all they said it was, was a laceration to my finger.

My finger healed on the outside, yet I still couldn't move it yet. Because I trusted the Doctors from St. John's I thought the inside of my finger was just taking longer to heal, after all they "didn't" find any abnormalities.

Then I accidentilly hit my finger, as it was awkward, while cleaning my friend's house and the skin broke open and the pain was unbarable and I knew my finger wasn't right. So my friend took me to the emergency room at McLaren General Hospital, 1000 Harrington Mt. Clemens, Mi 48043 (810) 493-8000. I was triaged, then examined by a group of student Doctors who said they had never seen anything like it, then the two top Ostio Doctors came to me telling me that I would be admitted for emergency surgery. After explaining to them what happened and x-rays, and other testing I was told that the reason my finger never healed was that when I originally cut it the tendon was also severed and when I went to St. John's for treatment they should have found that. Because they (St. John's) missed my tendon being severed, my finger was never given the chance to heal properly. And what happened was that my bone above the joint and my joint rubbed together so much that I got a hole in my bone and my joint was rubbing down to nothing. The Doctors weren't even sure if they could save my finger and they did but even after stitches and stints and pins to hold my finger together, my finger is a deformity and I don't even know if my tendon can ever really be fixed right, because it has shrunk and is twisting my finger still. My finger is useless now and will be unless I can get some kind of reconstructive/cosmetic surgery. I still cannot bend it and it is stuck in a bent position. And I believe all of this could have been avoided if I had been properly diagnosed and treated when I first went to St. John's, and if they can't tell what's wrong that's what they have "further testing" for. My finger also doesn't have the same blood flow and I don't have feeling in it like I do in my other fingers. I have no stamina for writing and have had to learn to do things with another finger or my other hand.

My finger, will never be the same because noone at that hospital took the time to really find out what was wrong with my finger. And I have had to suffer because of it.

III STATEMENT OF CLAIMS

The 8th Amendment to the U.S. Constitution was violated in the way of cruel and unusual punishment in regards to the negligent medical care I received on my visit to the emergency room at St. John's Hospital, Detroit in the care of ^{PA} Marisa Soave ~~PA~~ and Jan Mourelatos MD. The facts are that when I went in seeking medical treatment, I ended up with more pain and suffering than I started out with. I am also now in debt to 2 hospitals, I was unable to hold a job for quite a while, therefore could not support myself, I couldn't write with my right hand for almost a year, I had to teach myself how to do everything I would normally do with my right hand, now with my left, I suffered a lot of pain and couldn't even afford my medication. I had to go to St. Vincent dePaul for food assistance. I will live with my finger in this deformed state for the rest of my life, unless there is some hope of reconstructive surgery. I still cannot write for any real long length of time as the circulation in my finger is not very good and after awhile my finger goes numb and on top of my knuckle I have almost no feeling left at all. This will effect me for the rest of my life.

IV STATEMENT OF RELIEF

I owe hospital bills to two differant hospitals

I was unable to work due to having to have surgery, heal and waiting for the original injury to heal that never healed due to not being diagnosed correctly

I need to have more surgery both reconstructive and cosmetic

I am seeking damages for pain and suffering

Also for loss of consortium

Loss of finanical, fimilial and social damages

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I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct.

Executed (signed) on August 5, 2015 (date).

Diana Lewis
Signature of Plaintiff

Diana L. Lewis

CIVIL COVER SHEET FOR PRISONER CASES

Case No. 15-13009		Judge: George Caram Steeh	Magistrate Judge: R. Steven Whalen
Name of 1st Listed Plaintiff/Petitioner: DIANA L. LEWIS		Name of 1st Listed Defendant/Respondent: ST. JOHN HOSPITAL	
Inmate Number: 390410		Additional Information:	
Plaintiff/Petitioner's Attorney and Address Information:			
Correctional Facility: Huron Valley Women's Correctional Facility 3201 Bemis Road Ypsilanti, MI 48197 WASHTENAW COUNTY			

BASIS OF JURISDICTION

- ☐ 2 U.S. Government Defendant
☒ 3 Federal Question

ORIGIN

- ☒ 1 Original Proceeding
☐ 5 Transferred from Another District Court
☐ Other:

NATURE OF SUIT

- ☐ 530 Habeas Corpus
☐ 540 Mandamus
☒ 550 Civil Rights
☐ 555 Prison Conditions

FEE STATUS

- ☒ IFP *In Forma Pauperis*
☐ PD Paid

PURSUANT TO LOCAL RULE 83.11**1. Is this a case that has been previously dismissed?**

- ☐ Yes ☒ No

➤ If yes, give the following information:

Court: _____

Case No: _____

Judge: _____

2. Other than stated above, are there any pending or previously discontinued or dismissed companion cases in this or any other court, including state court? (Companion cases are matters in which it appears substantially similar evidence will be offered or the same or related parties are present and the cases arise out of the same transaction or occurrence.)

- ☐ Yes ☒ No

➤ If yes, give the following information:

Court: _____

Case No: _____

Judge: _____